

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**ANYWHERECOMMERCE, INC. and  
BBPOS LIMITED,**

**Plaintiffs,**

**v.**

**INGENICO INC., INGENICO CORP.,  
and INGENICO GROUP SA,**

**Defendants.**

**Civil Docket No: 1:19-cv-11457-IT**

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**STIPULATION AND [PROPOSED] ORDER REGARDING DISCOVERY REQUESTS  
SERVED BY DEFENDANTS**

By agreement of Plaintiffs AnywhereCommerce, Inc. and BBPOS Limited (collectively, “Plaintiffs”), as well as Defendants Ingenico Inc., Ingenico Corp., and Ingenico Group SA (collectively, “Defendants”), and the Court having reviewed the terms of this Stipulation and Order, and having found the following:

1. On February 12, 2020, Defendant Ingenico Corp. served its First Set of Requests for Production of Documents to BBPOS Limited and its First Set of Requests for Production of Documents to AnywhereCommerce, Inc. (together, the “Ingenico Corp. Requests”);
2. On February 27, 2020, Defendant Ingenico Inc. served its First Set of Requests for Production of Documents to BBPOS Limited and, on March 16, 2020, Defendant Ingenico Inc. served its First Set of Requests for Production of Documents to AnywhereCommerce, Inc. (together, the “Ingenico Inc. Requests”);
3. By letter, dated and served on March 27, 2020, Plaintiffs objected to the Ingenico Inc. Requests pursuant to Local Rule 26.1(c) (the “Objection”);

4. On April 28, 2020, the Court held a conference at the request of Defendants with respect to the Objection;

5. Upon the conclusion of the conference, the Court permitted Plaintiffs to file a motion with respect to their Objection no later than May 5, 2020 and Defendants to respond to such motion no later than May 12, 2020; and

6. Good cause exists for entry of this Stipulation and Order to prevent the unnecessary expenditure of the parties' and the Court's resources and to promote the efficient progression of discovery;

IT IS HEREBY ORDERED THAT:

1. The Objection has been withdrawn;
2. The Ingenico Inc. Requests will be deemed served on the date of entry of this Stipulation and Order;
3. Plaintiffs shall have thirty (30) days from the date of entry of this Stipulation and Order to respond to the Ingenico Inc. Requests, including with objections other than the withdrawn Objection;
4. Defendants have met their limit with respect to the number of sets of Requests for Production that may be served pursuant to Local Rule 26.1(c) and, in accordance with Local Rule 26.1(c), may not propound any additional sets of Requests for Production “[u]nless the judicial officer orders otherwise”; and

5. Subject to the terms of the ESI Protocol and any other stipulations by the parties, the ESI search parameters agreed to by the parties are intended to locate documents with regard to both Plaintiffs' claims and to Ingenico Inc.'s counterclaims, and no revisions shall be made thereto on account of the Ingenico Inc. Requests.

Dated: \_\_\_\_\_

\_\_\_\_\_  
JUDGE INDIRA TALWANI

INGENICO INC., INGENICO CORP., and  
INGENICO GROUP S.A.

By their attorneys,

/s/ Nicole J. Benjamin

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ANYWHERECOMMERCE, INC.  
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By their attorneys,

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**CERTIFICATE OF SERVICE**

I certify that on this 5th day of May, 2020, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Daniel Carmeli